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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/653,988	09/01/2000	Takashi Matsumoto	50032-162	6825

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MCDERMOTT WILL & EMERY  
600 13TH STREET, N.W.  
WASHINGTON, DC 20005-3096

EXAMINER

SHAPIRO, JEFFERY A

ART UNIT	PAPER NUMBER
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3653

DATE MAILED: 08/05/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/653,988

Applicant(s)

MATSUMOTO ET AL.

Examiner

Jeffrey A. Shapiro

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 19 May 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

**DETAILED ACTION**

***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jones et al (US 6,318,537 B1). Jones et al discloses the following.

As described in Claims 1, 2 and 5;

1. an inserting aperture (14), provided at an upper part of a main body;
2. a *first* sorting unit (32 or 248) (see also col. 14, lines 5-10) comprising a coin discriminating device;
3. a *second* coin sorting unit (40 or 251), located under said *first* sorting unit; (Note that the first sorting unit appears to be a validity determination device while the second sorting unit appears to be a simple diverter mechanism.)
4. a holding unit (52, 54, 56 or 402a-f) provided between said *first* coin sorting unit and said *second* sorting unit; (Note that bin elements (402a-f) are provided between coin storing unit (40 or 251) and the sorting unit (32 or 248.) See also figures 2, 10, 13a-c, 20, 21 and 22a-b.)

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5. a coin repayment unit (note, for example, path (410) which leads to outlet (22)), provided at a lower part of said main body;

As described in Claim 2;

6. said coin dispensing apparatus has a holding cylinder provided in said holding unit (see figure 5);
7. a wiper provided at a lower part of said holding cylinder (see col. 8, lines 27-35, which discusses a plunger device for removing coins in said cylinders);
8. a second said *second* sorting device provided under said wiper;  
(See col. 8, lines 24-27, noting that it would be obvious to provide a second sorting device such as (260), as described in figure 15, so as to divert the output of said cylinders to a target requiring coins, such as outlet (22) or (414). Note also that it would appear to be obvious that a diverter mechanism, such as (260) would be required to direct coins to outlets (22 or 414).

As described in Claims 3, 5 and 8-10;

9. a coin storing passage (256) connected with said coin storing unit;
10. a repayment passage (410) connected with said coin repayment unit;
11. a damper (260) (damper is construed to be a diverter) provided in said sorting device;

As described in Claims 4 and 7;

12. said coins include several types of coins;

As described in Claim 6;

13. operation of said receiving member is linked with said wiper in storing coins in said storing unit, and is not linked with said wiper in sweeping coins to said coin repayment unit; (Note that it appears that operation of the wiper, or plunger type mechanism is linked to said receiving member where synchronization is required between said receiving member and said wiper.)

### ***Response to Arguments***

3. Applicant's arguments filed 5/19/03 have been fully considered but they are not persuasive. Applicant asserts that holding units (52, 54 or 56) are not located between a first and second sorting unit, the second sorting unit being a diverter. However, as discussed above, and mentioned in the disclosure of Jones et al, these holding units are equivalent to each other. See col. 2, lines 31-42, which indicate that "receptacles" refer to either tubes, bags or box-type structures. Applicant ignores intermediate bin elements (402a-f). These elements are described in col. 18, lines 54-67, col 19, lines 1-67 and col. 20, lines 1-17. The bins (402a-f) are located below sorter (250), with the coin receptacles located below the bins. The coins are directed from the first sorter (250) through a distribution network (248) which includes tubes (256), said tubes connected to the intermediate bins (402a-f), with coin receptacles (251) residing below the bins. See col. 18, lines 54-59, col. 14, lines 26-33, col. 18, lines 60-67 and col. 20, lines 1-16. Note also that receptacles (52, 54 and 56) are intended to be used with

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(402a-f), or even in place of such bins, so as to provide an alternative a bin holding device. Although, bags are not able to be used, the coin tube cassettes, for example, could conceivably be used in place of a bin, as a receptacle one ordinarily skilled in the art would used to temporarily store and dispense coins from. Note also that even if there were no diverter/second sorter located below the intermediate bins or below the receptacles, it would have been obvious to provide diverters, such as elements (44, 46a and b), illustrated in figure 3, to divert sorted coins to any one of two or more plural locations. Since Applicant's independent claims, as currently written, and reasonably broadly construed, continue to read on the prior art cited, the rejection is maintained.

### ***Conclusion***

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Thomas, Satoh, Ishida et al, Abe et al, and Levasseur are all cited as examples of first sorting units with holding units located below said first sorting units, and a second sorting unit (diverter) located below the holding units.
5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeffrey A. Shapiro whose telephone number is (703)308-3423. The examiner can normally be reached on Monday-Friday, 9:00 AM-5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Donald P. Walsh can be reached on (703)306-4173. The fax phone numbers for the organization where this application or proceeding is assigned are (703)306-4195 for regular communications and (703)306-4195 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)308-1113.

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A handwritten signature in black ink, appearing to read 'J. Shapiro', with a long horizontal stroke extending to the right.

Jeffrey A. Shapiro  
Patent Examiner,  
Art Unit 3653

DONALD P. WALSH  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 3600

August 2, 2003